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C O N F I D E N T I A L SECTION 01 OF 02 SANAA 001730

SIPDIS

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TAGS: [PREL](#) [PGOV](#) [PTER](#) [PHUM](#) [PARM](#) [KMPI](#) [YM](#)

SUBJECT: 2003 GUN REGULATION LEGISLATION CONTINUES TO  
LANGUISH IN PARLIAMENT

REF: SANAA 269

Classified By: DCM Nabeel Khoury for reasons 1.4 (b) and (d)

1. (C) Summary: A 2003 law to regulate gun ownership and trade in Yemen, one of the world's most heavily armed countries, continues to languish in Parliament. The ROYG blames opposition party Islah, but, the legislation also faces stiff opposition from members of the ruling elite, many of whom benefit financially and politically from the gray arms market. While entrenched tribal and military interests continue to block parliamentary action, a well-respected Yemeni human rights group plans to launch a public awareness campaign to change attitudes towards gun possession and increase support for gun regulation. End Summary.

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Gun Regulation Yemeni Style  
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2. (SBU) Current law regulating gun possession is vague and lacks any provision for enforcement. The 2003 law, drafted by the Ministry of Interior, presents a comprehensive approach to regulating gun ownership and trading. The law enshrines the right to possess a firearm, defined as a "gun, automatic weapon, pistol, or rifle" for the purpose of "legitimate defense," and requires all gun owners to obtain a license from MOI at the cost of approximately 2.50 USD a year. Individuals convicted of a felony, proven to have consumed alcohol or drugs, or with a mental or physical disability would be prohibited from acquiring a license.

3. (SBU) The draft legislation also specifies that only the ROYG may import weapons and ammunition, although it allows authorities to grant import privileges to private entities. MOI would have wide authority to regulate arms and ammunitions dealers, under the law, and to determine the number of arms shops allowed in each governorate and their terms of operation. Senior government officials, judges, members of parliament and foreign diplomats are excluded from the law's provisions.

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Only a Bill...  
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4. (C) Gun regulation has been a controversial issue since the unification of north and south Yemen in 1990. The heavily armed north tends to support the individual's unfettered right to own a firearm, which bolsters tribal authority and provides a counter-balance against the central government. The south lacks such an entrenched gun culture, thanks in part to the strong, centralized rule of the Yemeni Socialist Party (YSP) before unity, which recognized an inherent danger of a well-armed populace.

5. (C) Following unity, the YSP was the first to introduce strict gun regulation legislation, but northern politicians resisted, believing a less-armed society benefited southern interests. After the 1994 civil war and the subsequent erosion of YSP power, the GPC commandeered the gun control issue.

6. (C) Many observers accuse Abdullah al-Ahmar, Speaker of Parliament and head of the powerful Hashid tribal confederation, of leading the fight against gun control. ROYG's claims that Islah is the only barrier to gun control, however, are dubious. Given the extreme political cost of pushing through such legislation in Yemen's gun-loving society, it is highly unlikely the GPC would have introduced the law to Parliament if it believed it had the slightest change of passing. (Comment: Getting out in front of the issue is an opportunity for the ROYG to claim it is in favor of gun control, and to point its finger at the opposition for blocking it. End Comment.)

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Gun Control Legislation DOA?  
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7. (C) Overcoming entrenched cultural norms is not the only difficulty facing gun control efforts. Any serious attempt to regulate small arms and light weapons (SA/LW) ownership and trade would threaten the financial and political

interests of Yemen's most powerful players. (Note: for a comprehensive discussion of who benefits from SA/LW trade in Yemen see reftel. End Note). When these powerful interests are combined with overwhelming popular opposition to gun regulation, it is easy to understand why resuscitation of the 2003 gun law is seen by all as being in the interest of none.

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Controlling SA/LW: A Human Rights Angle  
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18. (C) Pol/Econ Chief and Poloff met with Ezaddin al-Ashbahi, Director of the Human Rights Information and Training Center (HRITC). Established in 1995, HRITC is an NGO dedicated to increasing human rights awareness in Yemen through lectures, training, and publications. The center currently runs the Ministry of Interior's program to train police officers about human rights (ref A). HRITC, well known for its efforts to educate the public on human rights issues, has joined the fight against SA/LW proliferation in Yemen. Ashbahi holds that gun control is a human rights issue, as being forced to live in a heavily armed society violates the individual's right to personal security. He proposes a two-pronged strategy: continuing to work for passage of the gun regulation laws; and increasing public awareness on the dangers of heavily armed families and guns in homes.

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The Right To Individual Security  
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19. (C) Ashbahi holds that SA/LW proliferation is the single biggest human rights issue in Yemen today. He points to the findings of an unpublished MOI study that found accidental deaths constituted an alarming percentage of total gun-related deaths. The victims, said Ashbahi, are predominantly women and children. According to the study, Sanaa won the dubious honor of having the most accidental deaths, 100 per year or 10 percent of total gun-related deaths, despite being the only city with a total ban on carrying a weapon. Ashbahi estimates that the real number is ten times what the MOI study revealed.

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Comment  
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110. (C) Comment: Neither the passage nor the enforcement of serious gun control is not likely to happen in Yemen, at least in the short run. HRITC recognizes that without changing public attitudes on gun possession, no law alone could stem SA/LW proliferation. HRITC conducted awareness campaigns in the past with limited Canadian support. However, lack of financial resources is constraining current efforts. Ashbahi expressed interest in seeking USG support for continuing the campaign. Gun ownership is as entrenched in Yemeni society as qat chewing. Ashbahi's center could play an important role in beginning the long, arduous task of changing public attitudes toward the dangers of gun possession. As part of our overall strategy to stem SA/LW proliferation in Yemen, HRITC awareness campaign might well be a worthy recipient of USG assistance. Post will consider supporting such a campaign with MEPI or PD small grants. End Comment.  
Khoury